

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff

v.

ERNESTO TRASLAVINA,

Defendant

Case No.: 2:87-cr-00166-APG-LRL

**Order Denying (1) Motion for
Reconsideration, (2) Motion for Sanctions,
and (3) Request for Clarification**

[ECF Nos. 451, 452, 453]

I previously denied Ernesto Traslavina's motion for the return of a house and airplane the Government seized from him. ECF No. 450. Traslavina believes that one of my law clerks must have written the order because it ignores his arguments and affidavit. ECF No. 453. He thus moves for reconsideration of my order and requests clarification about who wrote it. ECF Nos. 451, 453. Spoiler alert: I did.

In denying Traslavina's motion for the return of his property, I considered and rejected his arguments and authorities. Just because I disagreed with him does not mean I ignored his points. I—not my law clerks—read every word of his and the Government's papers and reviewed the cases they cited. Traslavina was simply wrong, and remains so. His current motion for reconsideration offers no reason for me to change my mind. I thus deny it.

Traslavina also separately seeks sanctions against the Government for withholding funds it collected from him. ECF No. 452. I previously ordered the Government to refund to Traslavina \$236.85 it admittedly collected from him improperly. ECF No. 442 at 2. Because the Government has not issued the refund, Traslavina moves for sanctions. The United States Attorney responds that it "promptly initiated corrective action," a "refund request was executed,"

1 and “the refund was processed and transmitted to the Department of the Treasury for payment on
2 February 21, 2025.” ECF No. 455 at 2. Apparently, Treasury offset the refund based on an
3 unpaid debt owed by Traslavina. *Id.* The United States Attorney has provided a toll-free number
4 for Traslavina to contact the Treasury Offset Program call center. *Id.* Traslavina has not replied
5 to the Government’s response, so it is unclear whether he disagrees with this position.
6 Regardless, at this point there is no evidence that the Government is acting in bad faith, so
7 sanctions are inappropriate. I deny Traslavina’s motion without prejudice.

8 I THEREFORE ORDER that Traslavina’s motion for reconsideration (ECF No. 451),
9 motion for sanctions (ECF No. 452), and his request for clarification (ECF No. 453) are denied.

10 DATED this 8th day of July, 2025.

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13 ANDREW P. GORDON
14 CHIEF UNITED STATES DISTRICT JUDGE
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